

to be used by the same appropriator on the same land. Now the reason this bill is significant is because for the first time in the history of this state it allows the right to be used on different land, different land owned perhaps by the same appropriator, but also different land owned by someone else. So ipso facto it means that we are going to be having voluntary transfers of surface water appropriation rights from individual to individual with no restrictions in the bill as to what the terms, the kind of consideration that may pass for those transfers. Now I think this is basically a good idea to liberalize and loosen up the laws regarding the use of surface water in this state because ultimately it will encourage the best and most efficient use of surface water. Now there were some differences expressed here on the floor Friday as to the specifics of what this bill ought to contain within this general context of it being a good bill. We were able to iron out our differences this morning and I think the most important of those differences was accommodated in this particular amendment which offers some protection now to existing riparian waterholders when these contemplated transfers are taking place. Prior to this amendment only other appropriators had grounds for objection. Now riparian water users have grounds for objection as well. Now it would be my preference to follow the recommendations of the report of the Nebraska Natural Resources Commission on this issue and allow municipal water use systems to also purchase these rights to supplement the supplies used by municipal water use systems, and let me just remind you that 85% of the population of the State of Nebraska uses these municipal water use systems. They use 5% or less of the total water and generally don't compete with agricultural uses. But on the other hand, no municipal water use system operators have come to me and said that we need this so I have no difficulty leaving this right out of this bill, and if they do need it in the future, I am sure they will let us know and we can make changes in the future.

PRESIDENT: (Gavel.) Have order in the Chamber please.

SENATOR HOAGLAND: Now I think the same applies with respect to the issue of the geographical territory of these transfers. The amendment we adopted Friday limits these transfers to the same river basin. I think that is appropriate. If there is an irrigation district that crosses river basin lines and needs to be able to move the water across river basin lines, I am sure we